

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

NONA RICE,

Plaintiff,

v.

**DON PECK'S TRANSPORTATION, LLC
and FLEMING FURNITURE,**

Defendants.

No. 08-0051-DRH

ORDER

HERNDON, Chief Judge:

Now before the Court is Plaintiff's October 7, 2008 dismissal without prejudice (Doc. 23). Specifically, Plaintiff filed a notice of dismissal without prejudice as to her cause of action against Don Peck's Transportation, LLC. The Court **ACKNOWLEDGES** the dismissal and **DISMISSES without prejudice** Plaintiff's cause of action against Don Peck's Transportation, LLC.

IT IS SO ORDERED.

Signed this 8th day of October, 2008.

/s/ David R. Herndon

**Chief Judge
United States District Court**